

FEITLIN, YOUNGMAN, KARAS & YOUNGMAN, LLC
By: Andrew J. Karas, Esq.
AJK (5757)
9-10 Saddle River Road
Fair Lawn, NJ 07410
(201) 791-4400
Attorneys for Plaintiff,
John D. Wilcox, Administrator of the Estate of Guy Wilcox

JOHN D. WILCOX, Administrator of the
Estate of GUY WILCOX,

Plaintiff(s)

v.

MORGAN STANLEY DEAN WITTER,
MORGAN STANLEY, DEAN WITTER
REYNOLDS, INC., DAVID M. LOMBARDO,
GRETCHEN A. MARQUARD, DONALD
BOYD, RICHARD LESS and JOHN DOE 1
through 10, said names being fictitious and
intended to relate to the State claims only,

Defendant(s)

DAVID M. LOMBARDO,

Third Party Plaintiff

v.

JAMES PINO,

Third Party Defendant

: UNITED STATES DISTRICT COURT
: FOR THE DISTRICT OF NEW JERSEY

:
: CIVIL ACTION NO. 05-1179(WHW)

:
: ORDER FOR DISCOVERY

UPON reading the annexed Verified Petition and having received no opposition to same;

IT IS on this 21 day of May, 2007,

ORDERED as follows:

1. That the Custodian of Records of Premium Capital Fund, LLC d/b/a Topdot Mortgage, having offices at 125 Jericho Turnpike, Suite 500, Jericho, New York, be and the same shall hereby appear for a deposition on the 11 day of June, 2007 at 1:00 p.m. at the office of Feitlin, Youngman, Karas & Youngman, LLC, located at 9-10 Saddle River Road, Fair Lawn, New Jersey concerning two mortgages both dated October 20, 2006, given to David Lombardo and Johanna Lombardo, in the amounts of \$620,000.00 and \$155,000.00 with regard to property located at 21 Biscayne Drive, Ramsey, New Jersey. In lieu of appearing for a deposition, the custodian of the records may produce those documents as set forth in Schedule "A" annexed hereto, by certified mail, at the law offices of Feitlin, Youngman, Karas & Youngman, LLC, 9-10 Saddle River Road, Fair Lawn, New Jersey on or before the 4th day of June, 2007;

2. IT IS FURTHER ORDERED that a copy of this Order shall be served upon the Custodian of Records of Premium Capital Fund, LLC d/b/a Topdot Mortgage, at 125 Jericho Turnpike, Suite 500, Jericho, New York by registered and/or certified mail, return receipt requested, and simultaneously by regular mail, at least ten days before the date for appearance fixed herein.


Hon. Madeline Cox Arleo, U.S.M.J.

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EXHIBIT "A"

1. Any and all correspondence, notes, memorandum, applications, financial information, mortgages, notes, credit checks, income verification information, and/or other documents regarding and/or pertaining to a Mortgage Loan obtained by David M. Lombardo and Johanna Lombardo, as borrowers, from Premium Capital Funding, LLC d/b/a Topdot Mortgage on or about October 20, 2006 for the sum of \$620,000.00 with regard to property located at 21 Biscayne Drive, Ramsey, New Jersey.
2. Any and all correspondence, notes, memorandum, applications, financial information, mortgages, notes, credit checks, income verification information, and/or other documents regarding and/or pertaining to a Mortgage Loan obtained by David M. Lombardo and Johanna Lombardo, as borrowers, from Premium Capital Funding, LLC d/b/a Topdot Mortgage on or about October 20, 2006 for the sum of \$155,000.00 with regard to property located at 21 Biscayne Drive, Ramsey, New Jersey.

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